

INFORMATION MEMORANDUM ON DATA PROCESSING

Dear customers and business partners,

the document you are reading contains basic information about the way how we process your personal data. We appreciate the fact you have been sharing your personal data with us and are ready to protect them to the maximum extent. We also try to be as transparent as possible towards you, in particular regarding the way how we process your personal data.

Due to the new legislation of the European Union, this information memorandum is being issued in compliance with the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (**GDPR**).

In this memorandum, we are trying to present you the necessary information as clearly and practically as possible and that's why we have chosen the form of questions and answers we would provide you with. The information is in the following order:

1. Who is the Data Controller?
2. Who is the Data Protection Officer?
3. What purposes do we need the personal data for?
4. What are our legitimate interests?
5. What way were the personal data obtained?
6. What categories of personal data have been processed?
7. What is legal basis of personal data processing?
8. Are we intending to transfer the personal data to another subject?
9. Are we intending to transfer the personal data to a third country or to an international organization?
10. How long are we going to store the personal data?
11. What rights related to personal data processing do you have and how can you exercise them?
12. Are personal data evaluated automatically?

This information memorandum provides basic information we are obliged to being the Data Controller. Should you have any questions or remarks regarding the consent you have provided us with or regarding the memorandum, do not hesitate to contact us on our e-mail address legal@simplity.eu or with a letter sent to the correspondence address of Simplity s.r.o.: Rašínova 103/2, Brno-město, 602 00 Brno.

1. Who is the Data Controller?

Data Controller is a person who determines and decides, alone or together with others, on the purpose and way how the personal data is being processed.

Data Controller is the company *Simplity s.r.o.*, with registered office at Sokolovská 270/201, Vysočany, 190



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00 Praha 9, company number (IČ) 29044928, company registered in the Commercial Register maintained by the Municipal Court of Prague, insert C 162444. Data Controller can also be contacted by e-mail at legal@simplify.eu or via Data Protection Officer.

2. Who is the Data Protection Officer?

Based on the GDPR, Simplity s.r.o. is not obliged to assign a Data Protection Officer. However, Simplity s.r.o. has decided to assign one of its employees with this tasks due to the fact this employee is experienced in data protection sphere and puts all effort to have data processing in accordance with the respective legal regulations. It is also the most qualified person for questions and requests regarding personal data.

Our employee in charge of the data protection is Mrs. Hana Vašíčková who can be contacted on the e-mail address legal@simplify.eu or Hana.Vasickova@simplify.eu or by phone at +420725933102.

3. What purposes do we need personal data for?

Data Controller processes personal data for:

- a) entering into and performance of contractual obligations between the Data Controller and you (Art. 6 para. 1 letter b) of GDPR). Such relationship implies other legal obligations and the Data Controller must also process personal data for such purpose (Art. 6 para. 1 letter c) GDPR);
- b) marketing purposes in order for Data Controller to adjust its offer of products and services to your need as much as possible, your unequivocal consent is provided by you to the Data Controller for such purpose (Art. 6 para. 1 letter a) of GDPR);
- c) protection of its legitimate interests (Art. 6 para. 1 letter f) of GDPR) i.e. Business activities that pertain to offering consulting services and solutions for data stores and BI in particular.

Providing personal data to the Data Controller is a general legal and contractual requirement. As to the providing of personal data for marketing purposes and for the employment agency being not legal and contractual performace of the Data Controller, consent is requested from you. If you do not provide the Data Controller with your consent to data processing for marketing purposes or for the employment agency, it does not mean the Data Controller would refuse, as result of the aforesaid, providing its services that are set out in an agreement.

4. What are our legitimate interests?

Processing of personal data by the Data Controller has been done in order to protect ist legitimate interests. Legitimate interests of Data Controller, that is in particular proper performance of all contractual obligations of the Data Controller, compliance with all legal obligations of the Data Controller, direct marketing, protection of business and property of the Data Controller and, last but not least, environment protection and sustainable development.

In order to have the highest possible protection of your privacy, you can object to have your personal data processed for the legal requirements or to have the personal data blocked. More on your rights related to the personal data processing can be found in the Article 11 of this information memorandum.

5. How were the personal data obtained?

The personal data was obtained by Data Controller directly from you, in particular from filled forms, mutual



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communication or concluded agreements. Furthermore, personal data can be obtained from public sources, register of debtors, professional registers or Cadaster of Properties. The Data Controller could also have obtained your personal data from third persons that are authorized to access and process your personal data i.e. persons the Data Controller has been cooperating with and also information from social networks and from the internet you have placed there yourself.

6. What categories of personal data have been processed?

In order to ensure your satisfaction with proper obligation performance, for compliance with legal obligations, personalized offer of goods and services provided by the Data Controller and for purposed set out above in detail, the Data Controller has been processing the following categories of personal data:

- a) basic identification data - name, surname, date of birth, registered office or place of business as well as company number (identification number);
- b) contact data - phone number and e-mail address;
- c) information on the use of products and services provided by the Data Controller – it is information about what products you agreed on with the Data Controller and which ones you have now, including products set up etc.;
- d) information from mutual communication - information from e-mails or other contact forms;
- e) invoicing and transaction data – it is in particular information provided in invoices, regarding agreed invoicing conditions and accepted payments.

7. What is legal basis of personal data processing?

Legitimacy of processing is given by the Art. 6 para. 1 of GDPR setting out that processing of personal data is legal if it is necessary for performance of an agreement, compliance with the legal obligation of the Data Controller, protection of legitimate interests of the Data Controller or if the processing is done based on your consent provided to us.

Legitimacy of processing is also based on the Act No. 563/1991 Coll. on Accounting requiring processing and storing of invoicing data, Act No. 89/2012 Coll., Civil Code, protecting the legitimate interests of the Data Controller or Act No. 235/2004 Coll. On Value Added Tax.

8. Are we intending to transfer your personal data to another subject?

We are obliged to provide personal data to the legal extent to government authorities such as tax administrators, courts, criminal justice authorities or capital market supervisory authorities.

We will transfer your personal data only to our processors providing accounting services and software providers.

We will not transfer your personal data to third persons unless you are notified of that and express your consent to it.

9. Are we intending to transfer your personal data to a third country or an international organization?

We will not transfer your personal data to any country out of the European Union or the European Economic

Area or any international organization.

10. How long are we going to store your personal data?

Personal data will be processed and stored for the agreement term as a minimum. Some personal data necessary e.g. for tax and invoicing duties will be stored for a longer time, usually for 5 years starting with the year subsequent to the year of occurrence.

Personal data of prospective business partners necessary for legitimate interests of the Data Controller will be stored no longer than for 3 years after the end of contractual relationship with the Data Controller.

Personal data processed for marketing purposes will be stored no longer than for 3 years after having been obtained.

Personal data will never be stored for a longer time than the maximum by law. After the time of archivation the personal data will be deleted in accordance with internal rules of the Data Controller in a safe and irretrievable way in order to prevent their misuse.

11. What rights related to personal data processing do you have and how can you exercise them?

The Data Controller does everything for processing of your personal data in a proper and safe way. You are guaranteed the rights described in this article and you can exercise those rights at the Data Controller.

How can you exercise your rights?

You can exercise concrete rights sending an e-mail to the address legal@simplity.eu or contacting our employee in charge of the personal data protection. You can also exercise your rights in form of a written request sent to our correspondence address Rašínova 103/2, Brno-město, 602 00 Brno.

All information and statements regarding your exercised rights are provided free of charge. However, should the request be obviously unsubstantiated or inappropriate, in particular in case of repeated requests, the Data Controller is entitled to charge a reasonable fee that would take all administration costs related to the requested information into account. In case of a repeated exercise of the right to get a copy of processed personal data, the Data Controller reserves the right to charge a reasonable fee for the administration costs.

Statements and information on adopted measures will be provided to you by the Data Controller as soon as possible but no later than within one month. The Data Controller has the right to extend the term by two months in case of need due to the complexity and number of requests. You will be informed by the Data Controller in case of an extension including reasons of such extension.

Right to ask what personal data is processed

You are entitled to require information from the Data Controller whether it has processed your personal data. If this is the case, you have the right to information regarding such personal data, in particular regarding identity and contact information of the Data Controller, its representatives or Data Protection Officers, information about the processing purposes, categories of personal data that are being processed, the recipients or categories of recipients to whom the personal data have been disclosed or are still being disclosed, authorized controllers, statement of your rights, right of appeal to a supervising authority being the Office for



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Personal Data Protection, source of processed personal data and automated decision-making including profiling.

If the Data Controller intends to process your personal data for a different purpose than the purpose it was obtained for, the Data Controller will notify you of such different purpose as well as of other respective information before such further processing.

Information that is subject of this right are contained in this memorandum already but you still have the right to request it again.

Right of access to personal data

You are entitled to require information from the Data Controller whether your personal data have been processed and if this is the case, you have the right to information regarding purposes of processing, categories of personal data being processed, recipients or categories of recipients to whom the personal data have been disclosed, duration for which the personal data are stored, information on your rights (the right to erasure, restriction of processing, object to processing), the right to lodge a complaint at data protection authority i.e. the Office for Personal Data Protection, information about the source of personal data, information whether there is automated decision-making and profiling and information regarding the way of processing as well as the meaning and expected impact of such processing on you, information and guarantees in case of transfer of personal data to third countries or international organization. You have the right to receive a copy of processed personal data. However, the right to such copy shall not affect the rights and freedom of other persons.

Right to rectification

Should you change your place of residence, phone number or other facts that can be considered personal data, you are entitled to require correction of personal data that have been processed by the Data Controller . Moreover, you have the right to require completion of incomplete personal data also providing additional declaration.

Right to erasure (right to be forgotten)

In some specified cases you have the right to ask the Data Controller to erase your personal data. Such case is, among others, the fact the data that have been processed are no longer necessary for the purposes specified above. The Data Controller deletes personal data after expiry automatically but you can turn to him with your request at any time. Your request is then subject to individual assessment (the Data Controller might have the obligation or legitimate right to keep your personal data in spite of your request) and you will be informed about the conclusion in detail.

Right to restriction of processing

Personal data have been processed by the Data Controller only to the absolutely necessary extent. Should you have a suspicion the Data Controller e.g. exceeds the purposes specified above regarding processing your personal data, you can ask the Data Controller to process your personal data exclusively for the minimum legal reasons or to block your personal data. Your request is then subject to individual assessment and you will be informed about the conclusion in detail.

Right to data portability



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If you wish to have your personal data transferred from the Data Controller to another controller or another company, the Data Controller shall transfer your personal data in the respective format to your specified subject if there are no legitimate or other essential obstructions to do so.

Right to object to processing and automated individual decisions

Should you come to the conclusion or assume that Data Controller has been processing your personal data in contradiction with your privacy protection and with legal regulations (supposing the personal data are processed by the Data Controller on public or legitimate grounds or are being processed for direct marketing purposes including profiling or for statistic purposes or scientific or historical purposes), you can turn to the Data Controller and ask for explanation or rectification of the incorrect data.

Objected can be also lodged directly against automated decision-making and profiling.

Right to lodge a complaint with a supervisory authority i.e. the Office for Personal Data Protection

You can lodge a complaint or suggestion regarding personal data processing with a supervisory authority being Úřad na ochranu osobních údajů/the Office for Personal Data Protection, located at Pplk. Sochora 27, 170 00 Praha 7, website <https://www.uoou.cz/>.

Right to revoke consent

You have the right to withdraw your consent to personal data processing at any time, either filling the form/ticking the respective box/sending your withdrawal to the address of the Data Controller or using a link in the e-mail communication.

12. Are personal data evaluated automatically?

Personal data are not evaluated automatically.